SEC. 513. TESTING OF NEW ENTRANTS FOR DRUG AND **ALCOHOL** ABUSE

(a) AUTHORITY TO TEST BEFORE ACCESSION.—Subsection (a) of section 978 of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by striking out paragraph (1) and inserting in lieu thereof the following:

"(1) The Secretary concerned shall require that, except as provided under paragraph (2), each person applying for an original enlistment or appointment in the armed forces shall be required, before becoming a member of the armed forces, to—

"(A) undergo testing (by practicable, scientifically supported means) for drug and alcohol use; and

"(B) be evaluated for drug and alcohol dependency.

"(2) The Secretary concerned may provide that, in lieu of undergoing the testing and evaluation described in paragraph (1) before becoming a member of the armed forces, a member of the armed forces under the Secretary's jurisdiction may be administered that testing and evaluation after the member's initial entry on active duty. In any such case, the testing and evaluation shall be carried out within 72 hours of the member's initial entry on active duty/'.

(b) CONFORMING AMENDMENTS.—(1) Subsection (b) of such section is amended to read as follows:

"(b) A person who refuses to consent to testing and evaluation required by subsection (a) may not (unless that person subsequently consents to such testing and evaluation)—

"(1) be accepted for an original enlistment in the armed forces or given an original appointment as an officer in the armed forces; or

"(2) if such person is already a member of the armed forces, be retained in the armed forces.

An original appointment of any such person as an officer shall be terminated.".

(2) Subsection (c) of such section is amended—

(3) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(4) by inserting at the beginning of the subsection the following new paragraph (1):

"(1) A person determined, as the result of testing conducted under subsection (a)(D> to be dependent on drugs or alcohol shall be denied entrance into the armed forces.":

(5) in paragraph (2) (as so redesignated), by striking out

"subsection (aXDCB)" and inserting in lieu thereof "subsection (aX2)"; and

(6) in paragraph (3) (as so redesignated)—

(i) by inserting "who is denied entrance into the armed forces under paragraph (1), or a" after "A person"; and

(ii) by striking out "paragraph (1)" and inserting in lieu thereof "paragraph (2).".

(c) EXCESS LEAVE STATUS FOR PERSONS TESTING POSITIVE.—Subsection (c) of such section, as amended by subsection (b), is further amended by adding at the end the following new paragraph:

"(4) The Secretary concerned may place on excess leave any member of the armed forces whose test results under subsection (aX2) are positive for drug or alcohol use. The Secretary may continue such member's status on excess leave pending disposition of the member's case and processing for administrative separation.".